

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

XAVIER D. BATES,	)	
	)	
Movant,	)	
	)	
vs.	)	No. 4:05CV2238-DJS
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

JUDGMENT

Pursuant to the memorandum opinion entered herein this  
day,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the  
instant motion to vacate, set aside or correct sentence pursuant to  
28 U.S.C. § 2255 is denied.

IT IS FURTHER ORDERED, pursuant to § 2253 and Slack v.  
McDaniel, 529 U.S. 473, 483-84 (2000), that no certificate of  
appealability shall issue from this Court.

Dated this 17<sup>th</sup> day of May, 2006.

/s/Donald J. Stohr  
UNITED STATES DISTRICT JUDGE